

Street

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WARRANTY DEED

KENNEBEC REGIONAL DEVELOPMENT AUTHORITY (the "Authority"), a body corporate and politic duly created and existing by virtue of an Act of the Legislature of the State of Maine, Chapter 79 of the Private and Special Laws of 1998, as amended, and having an office in Oakland, in the County of Kennebec and State of Maine, whose mailing address is 166 Old Waterville Road, Suite 1, Oakland, Maine, 04963, grants to the CITY OF WATERVILLE, a Maine municipal corporation located in the City of Waterville, County of Kennebec, State of Maine, whose mailing address is One Common Street, Waterville, Maine 04901-6699, with WARRANTY COVENANTS, a certain lot or parcel of land, being FirstPark Drive, situated in the City of Waterville, County of Kennebec, State of Maine, all as more particularly described in Exhibit A attached hereto and by this reference made a part hereof.

IN WITNESS WHEREOF, this Warranty Deed has been duly executed by Craig H. Nelson, President of the Kennebec Regional Development Authority, hereunto duly authorized this 8<sup>th</sup> day of January, 2002.

KENNEBEC REGIONAL  
DEVELOPMENT AUTHORITY

Tina Hopkins  
Witness

By: Craig H. Nelson  
Name: Craig H. Nelson  
Its: President

STATE OF MAINE  
COUNTY OF KENNEBEC, SS.

January 8, 2002

Personally appeared the above-named Craig H. Nelson, President of Kennebec Regional Development Authority and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of Kennebec Regional Development Authority.



Before me,  
TINA M. HIPKINS  
Notary Public, Maine  
My Commission Expires April 6, 2007

Notary Public/Attorney at Law  
Print Name: Tina Hopkins  
Commission Expires: \_\_\_\_\_

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**EXHIBIT A**

**Kennebec Regional Development Authority  
To  
City of Waterville**

1. **Plan.** Final Subdivision Plan of Kennebec Regional Development Authority by K & K Land Surveyors, Inc., sheet 2 of 4 dated July, 2000 and recorded in the Kennebec County Registry of Deeds on February 1, 2001 in File No. E2001-010.

2. **Land.** FirstPark Drive in the City of Waterville as shown on the Plan and as more particularly bounded and described as follows:

Beginning at a point on the Municipal Boundary between the City of Waterville and Town of Oakland ("Municipal Boundary") located N 38 degrees 35 minutes 01 seconds E 465.94 feet from the intersection of the Municipal Boundary with the northerly sideline of Kennedy Memorial Drive;

Thence N 38 degrees 35 minutes 01 seconds E 138.23 feet along the Municipal Boundary;

Thence S 15 degrees 46 minutes 36 seconds E 40.63 feet to a point in the center of the street known as Second Rangeway ("Second Rangeway");

Thence S 27 degrees 06 minutes 42 seconds E 36.21 feet to a point on the southeasterly sideline of Second Rangeway;

Thence S 27 degrees 06 minutes 42 seconds E 258.47 feet along the westerly boundary of land now or formerly owned by Aubuchon Realty Company, Inc. to a point on the northerly boundary of Kennedy Memorial Drive;

Thence S 70 degrees 54 minutes 51 seconds W 220.60 feet along northerly boundary of Kennedy Memorial Drive to a point;

Thence N 25 degrees 54 minutes 51 seconds E 91.92 feet to a point;

Thence N 19 degrees 05 minutes 09 seconds W 114.81 feet to a point on the southeasterly sideline of Second Rangeway;

Thence N 19 degrees 05 minutes 09 seconds W 78.63 feet to the point of beginning.

Bearings are based on Grid North, Maine State Plane Coordinate System NAD 83 West Zone.

The Land is more particularly shown on the Plan as FirstPark Drive.

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Also conveying and assigning all of the Authority's right, title and interest in the Sewer System which is existing and located within the Land and as depicted on the Plan/Profile Drawings (defined below) including, without limitation, all sewer mains, services, manholes, sewer lines and other fixtures and appurtenances relating thereto ("Sewer System").

3. **Exceptions.**

**Plan/Profile Drawings.** Being the plans numbered C-200, C-201, C-202, C-203, C-206, C-207, C-208 and C-209 for FIRSTPARK DRIVE, TECHNOLOGY AVENUE, and EZHAYA DRIVE Prepared for FirstPark by OEST Associates, Inc. and last revised as Record Drawings November 29, 2001, to be Recorded at the Kennebec County Registry of Deeds. The Plan/Profile Drawings are hereby referred to for a more particular description of the Waterline Easement Area, Waterline Easement, Sewer Line Easement Area and Sewer Line Easement, all as defined below. All station calls referred to below are shown on the Plan/Profile Drawings.

1. EXCEPTING AND RESERVING to the Authority, its successors and assigns, a Waterline Easement (as hereinafter defined), in common with other utility easements, over and under a portion of the above-described Land defined hereinafter as the Waterline Easement Area:

a. **Waterline Easement Area.** The Waterline Easement Area is described as follows:

Being a strip of land Five (5') feet each side of the installed and existing waterline generally the following centerline:

Beginning at a point on the westerly sideline of the Land, which point is located thirty-five (35') feet, more or less, North Twenty-five Degrees Fifty-four Minutes Fifty-one Seconds East (N 25° 54' 51" E) from the point of intersection of the westerly sideline of the Land with the northerly sideline of Kennedy Memorial Drive;

Thence easterly, northeasterly and northerly a distance of four hundred (400') feet, more or less, to the Municipal Boundary.

b. **Waterline Easement.** The right and easement to bury, maintain, install, rebuild, repair, replace, operate and do all other actions involving water and water distribution, equipment and facilities consisting of water lines, water pipes, water mains, valves, hydrants and service leads with all necessary fixtures and appurtenances and together with the right to pump and to convey water and to enter upon the Waterline Easement Area at all times for any of the foregoing purposes.

2. EXCEPTING AND RESERVING to the Authority, its successors and assigns, the Street Lighting which is existing and located within the Land and is depicted on the Plan/Profile Drawings including, without limitation, the electrical equipment, the street lights, poles, power lines, transformer pads, wires, cables, anchors, guywires or pushbraces together with all necessary fixtures and appurtenances thereto and the right and easement to erect, bury, maintain, install, rebuild, respace, repair, replace, operate the Street Lighting and to access, erect, construct, dig up, dredge, reconstruct, connect, install, lay, operate, maintain, patrol, inspect,

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repair, replace, alter, extend or remove the Street Lighting and do all other actions involving the Street Lighting and together with the right to enter upon the Land at all times for any of the foregoing purposes.

4. **Title References.** Being a portion of the land conveyed to the Authority by the following two deeds:

Deed from J.N. L'Heureux, Inc. dated August 22, 2000 and recorded August 22, 2000 in the Kennebec County Registry of Deeds in Book 6280, Page 133.

Indenture from Horace M. Pullen and Louise A. Pullen, Trustees of Pullen Family Trust dated August 2, 2000, and recorded August 2, 2000 in the Kennebec County Registry of Deeds on August 22, 2000 in Book 6264, Page 168.

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RECEIVED KENNEBEC SS.

2002 JAN -8 PM 3:00

Attest: *Beverly Marie Anthony*  
Acting Register of Deeds